UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

GREGORY KSIOSZK and JAMES KSIOSZK, Plaintiffs.

v. Case No. 03-C-1409

MILWAUKEE CARPENTERS' DISTRICT COUNCIL HEALTH FUND,

Defendant.

ORDER

On June 1, 2005, I issued notice to plaintiffs that this case would be dismissed pursuant to Civil L.R. 41.3 (E.D. Wis. 2001) unless plaintiffs filed a response to defendant's motion for summary judgment by June 22, 2005. Civil L.R. 41.3 provides that "[w]henever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party can petition for reinstatement of the action within twenty (20) days." To date, plaintiffs have not filed a response to defendant's motion for summary judgment. Accordingly, pursuant to Civil L.R. 41.3, I will dismiss this case with prejudice.

THEREFORE, IT IS ORDERED that pursuant to Civil L.R. 41.3 this case is DISMISSED WITH PREJUDICE.

Dated at Milwaukee,	Wisconsin,	this 24 day	of June,	2005.

/s	
LYNN ADELMAN	
District Judge	